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Date 3/1/05
By Michael J. Flanagan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Bengston, Richard C., et al.)
Serial No. 10 / 622,252) Art Unit: 3722
Filed: July 18, 2003) Examiner: Ross, Dana
For: DEVICE AND ASSEMBLY FOR)
HOLDING AN OBJECT)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The attorney for the applicants of the above referenced patent application has thoroughly considered the Official Action dated January 7, 2005, requiring restriction of the application. The applicants respectfully traverse.

The device (claims 1 – 8) and the assembly (claims 9 – 16) were found to be distinct “because the combination does not require the specifics of a device for holding an object with the pins dimensioned to grip an inside diameter of a bore as evidenced by at least claim 9.” However, the device that forms part of the assembly of claim 9 does not include the limitation of pins dimensioned to grip an inside diameter. Rather, the device that forms the sub-combination of combination claim 9 includes each and every

limitation of the device claimed in claim 1. Therefore, the applicants respectfully assert that two-way distinctiveness has not been shown and that restriction should not have been required. Accordingly, the applicants request that the examiner reconsider this requirement and allow prosecution to proceed with regard to claims 1 – 16. In the alternative, the applicants request that claim 1 be treated as a genus claim and that claims 9 – 16 be withdrawn from consideration pending allowance of genus claim 1.

The applicants provisionally elect to prosecute group I, which is drawn to a device for holding an object and is claimed in claims 1 - 8.

The applicants have concurrently submitted a Petition for One-Month Extension of Time and the required petition fee.

It is felt that a full and complete response has been made to the Official Action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. If the examiner feels, for any reason, that a personal interview will expedite the prosecution of this application, the examiner is invited to phone the applicants' attorney at the number set forth below.

Respectfully submitted,



Date March 1, 2005

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